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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

CONTINUATION SHEET

Continuation of 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:

Regarding claim 40, Applicant has submitted that Rosenberg (US 6,937,597; hereinafter Rosenberg) does not disclose the multipoint control unit and its indicated functions as claimed.

Specifically, Applicant has submitted the following arguments:

i.) *"In contrast (to Rosenberg)..., a multipoint control unit (MCU) supports audio conferences between three or more endpoints 120"* (Applicant's Remarks; page 9 3rd ¶ and page 12, 2nd ¶);

ii.) *"Rosenberg's proxy server does not manage an audio conference* (page 12, 2nd ¶); and

iii) *"Rosenberg's proxy server does not place/initiate outgoing calls*" (page 12-13).

However, the Examiner respectfully disagrees with the Applicant and asserts that Rosenberg anticipates the claimed invention as shown in claim 40.

First, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a multipoint control unit (MCU) supports audio conferences between three or more endpoints) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Second, Applicant has argued the Rosenberg's proxy server does not manage an audio conference and in support, Applicant has also submitted that "..the capability of Rosenberg's proxy server is to receive an INVITE request, and forward the request towards…the current location of the callee…"

It is noted that the call setup according to Session Initiation Protocol (SIP) is performed in relation to the proxy server. The Examiner disagrees that Rosenberg's proxy server is confined only to reception and forwarding of SIP-related requests (i.e. INVITE requests). Call setup between client(s) are established using the proxy server using at least some SIP messages. Particularly, we look into INVITE requests/messages sent between proxy server and the client(s). A description of the use of at least INVITE messages/requests is described below for convenience:

[Rosenberg: col. 3, lines 45-58]

> In general, each call is identified by a globally unique call identifier, carried in a CALL-ID header field of the SIP message. The call identifier is created by the originator and is used commonly by all call participants. The call identifier may be, for example, an alphanumeric or numeric string corresponding to the day and/or time of a call, which is associated with some identifier specific to the call originator.
>
> As mentioned above, SIP defines several methods. These may include the following.
>
> **INVITE invites a user to a conference**, BYE terminates a connection between two users in a conference, and OPTIONS solicits information about a user's capabilities, but does not set up a call. **Accordingly, these methods are used to manage or prepare for calls.**

Thus, it is explicitly shown in the citation shown above that the use of INVITE messages/request, in part, manages or prepares calls. Since the proxy server of Rosenberg

allows for such use of messages (i.e. INVITE messages), Rosenberg shows the claim limitation "...multipoint control unit managing the audio conference..."

Third, Applicant has also submitted that Rosenberg's proxy server does not "place an outbound call". In support of the above arguments, Applicant has noted that "the Examiner relies heavily on the example disclosed at Rosenberg's col. 15-16" (see page 12, 3rd ¶). However, Examiner would like to correct the Applicant in this notion. As shown in the rejections, instead of col. 15-16 of Rosenberg, the Examiner relied heavily on Figures 3-4 and its corresponding description in col. 6 (emphasis added). Examiner has cited col. 15-16 in order to inform Applicant of pertinent parts of Rosenberg but does not heavily rely on col. 15-16.

Since, Applicant has submitted arguments pointing to col. 15-16 and thus, the arguments presented is not persuasive since the rejection of said claim/claim limitation specifically is directed to Figures 3-4 and its related description in col. 6.

However, the Examiner briefly notes again that with regards to Rosenberg's system, the Examiner has used the citations shown in Figure 4, step 310 and col. 6, lines 19-24 showing "…proxy server sends a new INVITE request to hgs@play... this INVITE request also contains FROM, TO, and CALL-ID header fields. It is particularly noted that the call identifier in the CALL-ID header field is the same, in order to maintain an association with the original request…" In addition, Rosenberg details the properties of SIP calls in col. 3, lines 10-58. Certain sections are shown below for convenience:

> "…In general, **each call is identified by a globally unique call identifier, carried in a CALL-ID header field of the SIP message**. The call identifier is created by the originator and is used commonly by all call participants. The call identifier may be, for example, an alphanumeric or numeric string corresponding to the day and/or time of a call, which is associated with some identifier specific to the call originator…."

> "...**INVITE invites a user to a conference**, BYE terminates a connection between two users in a conference, and OPTIONS solicits information about a user's capabilities, but does not set up a call. Accordingly, these methods are used to manage or prepare for calls..."

Using the above-citations, since the new INVITE request includes the CALL-ID header fields, sending an INVITE request (i.e. new INVITE request from proxy server) is seen as being the same as "placing an outbound call..." since the INVITE message/request, invites a user to a conference and includes a CALL-ID header fields which identifies a call. In addition to the above, the Examiner would like to emphasize the use of a **new** INVITE request as issued by proxy server. Having a "new" INVITE request denotes another call being placed by proxy server.

Thus, given the current rejections and having the additional reasoning presented above, Rosenberg discloses the claim limitations as set forth in claim 40.

Regarding claims 4-5, 7-10, and 12-15, Applicant submits the same arguments as already presented in claim 40. Thus, the Examiner relies upon the reasoning presented above for claims 3-5, 7-10, 12-15.

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